

1 MARK D. FOWLER, Bar No. 124235  
mark.fowler@dlapiper.com  
2 CLAYTON THOMPSON (Pro Hac Vice)  
clayton.thompson@dlapiper.com  
3 DAVID ALBERTI, Bar No. 220625  
david.alberti@dlapiper.com  
4 CHRISTINE K. CORBETT, Bar No. 209128  
christine.corbett@dlapiper.com  
5 YAKOV M. ZOLOTOREV, Bar No. 224260  
yakov.zolotorev@dlapiper.com  
6 CARRIE L. WILLIAMSON, Bar No. 230873  
carrie.williamson@dlapiper.com

7 DLA PIPER US LLP  
8 2000 University Avenue  
East Palo Alto, CA 94303-2214  
9 Tel: 650.833.2000  
Fax: 650.833.2001

10 Attorneys for Plaintiff-Counterclaim Defendant,  
11 Sun Microsystems, Inc.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION  
15

16 SUN MICROSYSTEMS, INC.

17 Plaintiff-Counterclaim Defendant,

18 v.

19 NETWORK APPLIANCE, INC

20 Defendant-Counterclaim Plaintiff.  
21

CASE NO. C-07-05488-EDL

**SUPPLEMENTAL JOINT CLAIM  
CONSTRUCTION STATEMENT AND  
PREHEARING STATEMENT**

Claim Construction Hearing:  
Date: October 31, 2008

22  
23 Pursuant to Northern District of California Patent Local Rule 4-3, Sun Microsystems, Inc.  
24 ("Sun") and NetApp, Inc. (formerly Network Appliance, Inc.) jointly submit this Supplemental  
25 Joint Claim Construction and Prehearing Statement.

26 Accompanying this Supplemental Statement are the following supplemental exhibits:  
27 Supplemental Exhibit A-10 – Proposed Constructions and Supporting Evidence for  
28 additional terms in the '012 patent.

1 Supplemental Exhibit A-11 – Proposed Constructions and Supporting Evidence for  
2 additional terms in the '787 patent.

3 Collectively, these supplemental exhibits contain one additional term for the '787 patent  
4 and two additional terms for the '012 patent. For the Court's convenience, the parties have used  
5 the same exhibit number for each patent as in the Joint Statement filed on August 7.  
6

7 Dated: August 18, 2008

8 DLA PIPER US LLP

9  
10 By /s/ Christine K. Corbett

11 MARK D. FOWLER  
12 CLAYTON THOMPSON  
13 DAVID ALBERTI  
14 CHRISTINE K. CORBETT  
15 YAKOV M. ZOLOTOREV  
16 CARRIE L. WILLIAMSON

17 Attorneys for  
18 Sun Microsystems, Inc.

19 Dated: August 18, 2008

20 WEIL, GOTSHAL & MANGES LLP

21 /s/ Jeffrey G. Homrig

22 MATTHEW D. POWERS  
23 EDWARD R. REINES  
24 JEFFREY G. HOMRIG  
25 JILL J. HO

26 Attorneys for  
27 NetApp, Inc.